

FILED
Clerk
District Court

APR 13 2006

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

For The Northern Mariana Islands
By _____
(Deputy Clerk)

ALAN STUART MARKOFF, D.D.S. dba
TOOTHWORKS and OPEN CHOICE,

Plaintiff,

vs.

TODD KEITH JOHNSON, D.D.S.,

Defendant.

Civil Action No. 05-0035

CASE MANAGEMENT SCHEDULING
ORDER

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Pursuant to Federal Rule of Civil Procedure 16(b)¹ and Local Rule 16.2CJ.e.4, a
Case Management Conference was conducted in the above case on April 13, 2006. As
a result of the conference,

IT IS ORDERED THAT:

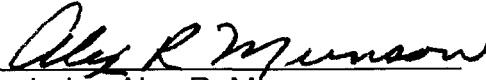
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Fed.R.Civ.P. 16(b)(6) provides in part that a case management scheduling
order "shall not be modified except upon a showing of good cause and by leave of the
district judge[.]" To establish good cause, a party must generally show that even with
the exercise of due diligence it cannot meet the order's timetable. See e.g. Johnson v.
Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). The liberal amendment
policy of Fed.R.Civ.P. 15 no longer obtains once the case management scheduling
order has been entered. See Coleman v. Quaker Oats Co., 232 F.3d 1271, 1294 (9th
Cir. 2000).

1. All parties are to be joined on or before September 28, 2006.
2. All motions to amend pleadings shall be filed on or before September 28, 2006.
3. All discovery shall be served by September 1, 2006.
4. All discovery motions shall be filed so as to be heard on or before October 26, 2006. The following discovery documents and proofs of service thereof shall not be filed with the Clerk until there is a motion or proceeding in which the document or proof of service is in issue and then only that part of the document which is in issue shall be filed with the Court:
 - a. Transcripts of depositions upon oral examination;
 - b. Transcripts of deposition upon written questions;
 - c. Interrogatories;
 - d. Answers or objections to interrogatories;
 - e. Requests for production of documents or to inspect tangible things;
 - f. Responses or objections to requests for production of documents or to inspect tangible things;
 - g. Requests for admission; and,
 - h. Responses of objections to requests for admission.
5. Plaintiff expert disclosure - September 1, 2006.
6. Defendant and third-party defendant expert disclosure - September 1, 2006.
7. Expert discovery shall be completed by October 26, 2006.
8. A status conference will be held on September 8, 2006, at 10:00 a.m.
9. All dispositive motions shall be heard on or before November 30, 2006. Said motions shall be filed in accordance with Local Rules 7.1and/or 56.1.
10. A settlement conference will be held on December 8, 2006, at 9:00 a.m.
11. The jointly-prepared final pretrial order, prepared pursuant to Local Rule 16.2CJ.e.9, shall be filed with this Court by December 29, 2006.
13. A final pretrial conference will be held on January 5, 2007, at 9:00 a.m.
14. The trial in this case shall begin on January 16, 2007, at 9:00 a.m.

1 This case has been assigned to the Standard Track.

2 DATED THIS 13th day of April, 2006, Garapan, Saipan, CNMI.

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5 Judge Alex R. Munson
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